

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CORNELIUS TUCKER, JR.,)
Plaintiff,) Civil Action No. 05 - 1313
v.) Judge Terrence F. McVerry /
MICHAEL MUNNS; GUARD WAGSTAFF;) Magistrate Judge Lisa Pupo Lenihan
ADDINGTON, Guard; FEDERAL RESERVE)
BANK AND RETAIL SITE; FEDERAL)
FISCAL UNKNOWN AGENT;)
COMMISSIONER; SECRETARY; CEO;)
PRESIDENT DEPUTY COMM MANAGER;)
ASST. TREASURER; UNKNOWN NAMED)
POLK PRISON STATE GUARDS; MS.)
BOYD; IRENE SMITH; LT. BROWN;)
NURSE PETTIFORD; LT. D. CANBUREN;)
NURSE WATSON; GUARD HAWKINS;)
PHYSICIAN LIGHTSEY; NURSE S.)
SNIDER; THEODORE BECK; GUARD)
WHITE; JAMES P. IRWIN; LYNN ADCOCK;)
POLK'S U.S. TRASURY AND BUREAU OF)
PUBLIC DEBT; DARRELL HARPER, Federal)
Fiscal Account Customer Mgr.;)
PSYCHOLOGIST BOWMAN; POK GUARD)
WHITE; JUDGE ROBERT HOBGOOD;)
FINCH, GRANVILLE, CO.; each in their)
individual and official capacities,)
Defendants.)

ORDER

Plaintiff in the above captioned action has filed a complaint purporting to state a violation of his rights under 42 U.S.C. § 1983. The Complaint names a number of Defendants, many of whom are quite unusual. Portions of the Complaint¹ are not readable due to poor photocopying.

¹Specifically, the writing on the first page of the attachment to the section entitled "V. Statement of Claim."

Other portions are unreadable due to illegible handwriting. Those portions that are readable fail to set forth any coherent statement of Plaintiffs allegations and/or legal claims against the Defendants.

Rule 8(e) of the Federal Rules of Civil Procedure requires pleadings to be "simple, precise and direct." No part of Plaintiff's complaint is simple, precise, or direct. This Court is unable, in viewing the document presently filed, to ascertain what Plaintiff's claims are. In addition, a complaint is required by the rules to state the basis of the court's jurisdiction. This Court cannot discern, from the face of the complaint why it is properly filed in the Western District of Pennsylvania, when Plaintiff is incarcerated in North Carolina.

Plaintiff is therefore directed to file an Amended Complaint that:

- 1) sets forth the basis for jurisdiction in the Western District of Pennsylvania;
- 2) sets forth all facts, in numbered paragraphs, forming the basis of the cause of action;
- 3) delineates which facts apply to each of the defendants and state clearly, in numbered paragraphs, the legal theory against each of the defendants;
- 4) clearly states a demand for damages.

IT IS HEREBY ORDERED that Plaintiff is to **FILE AN AMENDED COMPLAINT AS SET FORTH ABOVE.**

IT IS FURTHER ORDERED THAT SAID AMENDED COMPLAINT IS TO BE FILED NO LATER THAN NOVEMBER 4, 2005.

Dated: October 11, 2005



Lisa Pupo Lenihan
United States Magistrate Judge

Cc: Cornelius Tucker, Jr.
POB 2500
Butner, NC 27509